

AFFIDAVIT OF SERVICE

Case: 4:23-cv-00194-ALM	Court: IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS	County:	Job: 8819487 (4:23-cv-00194-ALM)
Plaintiff / Petitioner: BEHAVIOR ANALYST CERTIFICATION BOARD, INC.,		Defendant / Respondent: MICHAEL MOATES, an individual; MISTY KIESCHNICK, an individual; and THE GLOBAL INSTITUTE OF BEHAVIORAL PRACTITIONERS AND EXAMINERS.	
Received by: Stealth Process		For: Hall, Render, Killian, Heath & Lyman, P.C.	
To be served upon: The Global Institute of Behavioral Practitioners and Examiners by serving Michael Moates – as an officer/director			

I, JAMES HATCHER, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: The Global Institute of Behavioral Practitioners and Examiners by serving Michael Moates – as an officer/director, 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106

Manner of Service: Business, May 22, 2023, 11:19 am CDT

Documents: Summons and Complaint (Received Apr 26, 2023 at 9:40am CDT)

Additional Comments:

1) Unsuccessful Attempt: May 5, 2023, 5:16 pm CDT at 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106
4-5 pm

I arrived at 3:55 pm. I saw a package at the door and took a peak and it's from Chewys listed for the subject. Also a vehicle matching the description of subject vehicle was present but this vehicle has dealer tags. See pic.

5-6 pm

No activity. The package is still on the porch

6-7 pm

Approx 6:30pm an uber eats dropped off food at the subjects door. I proceeded to the front door and waited. I then noticed he had a ring camera and a peep hole. I covered them up and waited by the steps.

7 to 8pm

Approx at 715 pm the subject came out to the patio to check to see if I had left. He saw me and I saw him and recognized him by his photo but then he hurried inside before I can say his name or drop serve him by throwing the papers onto the patio

8:05 pm left the site

2) Unsuccessful Attempt: May 22, 2023, 8:02 am CDT at 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106

Arrived: 6:56 AM

7am to 8am - No activity. Subjects vehicle is present

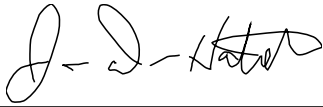
8am to 9am - no activity

9am to 10am No activity

3) Successful Attempt: May 22, 2023, 11:19 am CDT at 4501 NAUTILUS CIR Apt. 710, FORT WORTH, TX 76106 received by The Global Institute of Behavioral Practitioners and Examiners by serving Michael Moates – as an officer/director. Age: 28; Ethnicity: Caucasian; Gender: Male; Weight: 250; Height: 5'7"; Hair: Brown; Eyes: Brown; Other: Possibly wears glasses Vehicle: 2023 KIA Forte; Sedan 4D 5P (orange and black); Plate #: SVV3023;

I served Michael moates

At approx 10:56 am I observed the subject opening his blinds on his back door. Because the subject has seen me and my vehicle from my last attempt, I left the parking space where I was parked and moved it to behind the building where the subject couldn't see me. The subject has a dog and I had a hunch it was time to walk his dog, I proceeded around the office to be undetected from the subject. I peeked around the corner and observed the subject walking his dog by the stairs closest to the subjects upstairs residence. As I came around the corner with my body cam recording. I approached the subject who saw me and started to run upstairs. I ran upstairs and called his name. He turned around and looked at me and he then proceeded to ignore me and go inside his residence. Right before he made it inside I threw the papers in front of him to drop served him. The papers actually went over his head but never did the papers hit him. I told him he was served and I have it on video. As I walked away the subject claimed I assaulted him simply by throwing the papers up the stairs I front of him and he said he had a ring camera too. Neither my camera or his camera will show an assault of any kind.



05/22/2023

JAMES HATCHER

Date

PSC 18928 EXP 12/31/2024

Stealth Process

4425 W AIRPORT FWY., SUITE 356

IRVING, TX 75062

817-363-0019

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

BEHAVIOR ANALYST CERTIFICATION
BOARD, INC.,*Plaintiff(s)*

v.

MICHAEL MOATES, an individual; MISTY
KIESCHNICK, an individual; and THE GLOBAL
INSTITUTE OF BEHAVIORAL PRACTITIONERS
AND EXAMINERS.*Defendant(s)*

Civil Action No. 4:23-cv-00194-ALM

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Global Institute of Behavioral Practitioners and Examiners
2700 Colorado Blvd. Apt 1526
Denton, TX 76210

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Brandon Kulwicki
Hall Render Killian Heath & Lyman, PC
603 Munger Avenue, Suite 350
Dallas, TX 75202

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 3/13/23

CLERK OF COURT

David A. O'Toole

Signature of Clerk or Deputy Clerk

Civil Action No. 4:23-cv-00194-ALM

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: